

DATE: August 8, 2005

TO: Region Engineers
Region Delivery Engineers
TSC Managers
Resident/Project Engineers
Region Construction Engineers
Local Agency Program/Project Managers

FROM: Larry E. Tibbits
Chief Operations Officer

John C. Friend
Engineer of Delivery

SUBJECT: Bureau of Highway Instructional Memorandum 2005-12
Enforcement of County Haul Route Permits

Several county road commissions require trucks to have permits to haul construction materials on their road system. The Attorney General of the State of Michigan issued a formal opinion that county boards of commissioners and county road commissions do not have the legal authority to impose these hauling route permits so long as the trucks are otherwise in compliance with the Michigan Vehicle Code.

MDOT personnel or authorized representatives are instructed not to interpret any part of the contract documents, particularly Subsection 107.19 of the Standard Specifications, as implying that we require compliance with county haul route permits for construction materials. Do not require contractors or subcontractors to obtain county haul route permits on any projects or maintenance work receiving state or federal funding. Provisions for requiring compliance are not to be included in any future contracts.

Chief Operations Officer

Engineer of Delivery

BOHD:C/T:MJE:kab

Index: Permits

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